MINUTES
of the
THIRD MEETING
of the
WATER AND NATURAL RESOURCES COMMITTEE

September 4-5, 2014
Central Valley Electric Cooperative
Artesia

The third meeting of the Water and Natural Resources Committee was called to order on Thursday, September 4, 2014, at 9:30 a.m. by Representative George Dodge, Jr., chair, in the Central Valley Electric Co-Op in Artesia.

Present
Rep. George Dodge, Jr., Chair (9/4)
Rep. Paul C. Bandy
Rep. William "Bill" J. Gray
Rep. Dona G. Irwin
Rep. Larry A. Larrañaga
Sen. Cliff R. Pirtle
Sen. Sander Rue
Sen. Benny Shendo, Jr. (9/4)
Rep. Mimi Stewart
Rep. James R.J. Strickler
Sen. Peter Wirth
Sen. Pat Woods

Absent
Sen. Phil A. Griego, Vice Chair
Rep. Phillip M. Archuleta
Sen. Joseph Cervantes
Rep. Brian F. Egolf, Jr.
Rep. Emily Kane
Sen. George K. Munoz
Rep. Don L. Tripp

Advisory Members
Rep. Cathrynn N. Brown
Sen. Lee S. Cotter
Rep. Anna M. Crook
Rep. Nora Espinoza
Rep. Candy Spence Ezzell
Sen. Ron Griggs
Sen. Gay G. Kernan
Sen. Cisco McSorley
Sen. Gerald Ortiz y Pino (9/4)
Sen. Mary Kay Papen (9/4)
Rep. Vickie Perea
Sen. Nancy Rodriguez
Rep. Tomás E. Salazar
Sen. John Arthur Smith
Rep. Bob Wooley

Sen. Pete Campos
Rep. Gail Chasey
Sen. Carlos R. Cisneros
Rep. Sharon Clahchischilliage
Sen. Stuart Ingle
Rep. James Roger Madalena
Rep. Rodolpho "Rudy" S. Martinez
Rep. W. Ken Martinez
Sen. Steven P. Neville
Sen. John C. Ryan
Rep. Henry Kiki Saavedra
Sen. William E. Sharer
Rep. Jeff Steinborn

Guest Legislator
Rep. Yvette M. Herrell (9/5)

(Attendance dates are noted for those members not present for the entire meeting.)

Staff
Jon Boller, Legislative Council Service (LCS)
Mark Edwards, LCS
Jeret Fleetwood, LCS

Guests
The guest list is in the original meeting file.

Handouts
Handouts and other written testimony can be found in the meeting file or on the New Mexico Legislature's web site at www.nmlegis.gov.

Thursday, September 4

Call to Order and Introductions
Representative Dodge began by having members of the committee introduce themselves.

Chuck Pinson, general manager, Central Valley Electric Co-Op, welcomed committee members to the co-op's new facility and thanked them for coming. He provided the committee with a brief overview of the facility, noting that in addition to being significantly larger than the previous facility, it features several energy-efficient upgrades such as LED lighting and geothermal heating and cooling.

New Mexico First Report on Water Issues
Heather Balas, executive director, New Mexico First, provided the committee with testimony regarding a town hall convened by New Mexico First to discuss water planning, development and use. She began by providing the committee with background on New Mexico First, explaining that it is a nonpartisan, nonprofit public policy organization focused on research and town halls and forums to engage New Mexicans on the important issues facing the state to develop concrete, actionable recommendations for policymakers and the public.

Ms. Balas noted that the New Mexico First Town Hall on Water Planning, Development and Use was held on April 15-16 in Albuquerque and that it was the largest town hall in New Mexico First history, which underscores the importance of the issue. She explained that recommendations adopted by the town hall fell into six major themes:

- plan for the future;
- keep watersheds and ecosystems healthy;
- address legal and management issues;

- pursue new sources of water;
- improve water funding practices; and
- protect water quality and quantity.

Ms. Balas explained that recommendations were developed for each theme, with 15 total recommendations, and that electronic polling at the meeting provided organizers with feedback on support for each recommendation. She went on to provide the committee with an overview of the recommendations. Recommendations included:

- improving state and regional water plans;
- making New Mexico's water supply resilient and flexible;
- planning for extreme droughts;
- restoring watersheds;
- protecting against wildfire and water source loss;
- advancing water shortage-sharing agreements;
- improving water rights management;
- improving the adjudications process;
- assessing brackish water reserves;
- expanding water funding sources; and
- conserving water and protecting it against contamination.

Questions and comments from the committee included the following:

- the effect and mitigation of evaporative water losses;
- development of brackish water policy;
- Los Alamos National Laboratory (LANL) is working with the New Mexico Department of Environment (NMED) on brackish water issues;
- the Office of the State Engineer (OSE) knows the location of most brackish water reserves in New Mexico but does not fully know how these reserves interact with freshwater sources;
- public/private partnerships could be one way of implementing some of the recommendations;
- developing a uniform shortage-sharing template may not work because each water-sharing agreement is unique;
- identifying common themes in successful shortage-sharing agreements may be the best way to move forward;
- management of federal land was discussed at the town hall;
- the importance of developing common sense land management policies; and
- maintaining a distinction between urban areas and rural areas when it comes to water project financing, as urban areas may have access to resources that rural areas do not.

Disposition of Produced Water Practices: Produced Water Rules

Lee Livingston, Mack Energy Corporation, outlined the use and disposition of produced water in oil and natural gas exploration. He explained that, until recently, the oil and gas industry

relied primarily on fresh water for most oil and gas wells, including hydraulic fracturing and horizontal drilling operations. However, Mr. Livingston said that recent advances in technology made the treatment and reuse of produced water an economically viable option for some operations. He provided the committee with a brief overview of the oil and gas exploration process, as well as drilling sites featuring treated water, and noted some of the differences. Mr. Livingston also discussed the water treatment cycle, explaining that water travels from a well facility to a treatment plant, then to storage pits and eventually to hydraulic fracturing sites, and then back to well facilities. Mr. Livingston also discussed the goals of the produced water treatment process, including the removal of iron sulfide and a reduction in the level of total dissolved solids (TDS). He also said that the company's treatment program included an avian and wildlife protection plan, overseen by the Center of Excellence for Hazardous Materials Management. Finally, Mr. Livingston discussed the advantages of reusing produced water, including reductions in the purchase and use of fresh water, reduced truck traffic and the use of 100 percent treated water in hydraulic fracturing wells.

Kent Adams, BOPCO, L.P., also discussed the use and treatment of produced water in oil and gas wells. He began by providing the committee with some background information on BOPCO, noting that the company is the fifth-largest oil and gas producer in New Mexico. He explained that BOPCO primarily drills horizontal wells using significant amounts of fresh water, noting that fresh water does offer certain advantages, such as known chemistry and storage and transport logistics. However, Mr. Adams acknowledged that the use of fresh water also presents challenges, particularly the cost and scarcity of water in southeastern New Mexican deserts. Mr. Adams went on to note that alternatives to fresh water have been considered for some time. He discussed development of systems using produced water, noting that such systems present another set of challenges, such as salt saturation, slightly higher acidity, high TDS amounts, storage and transport issues and higher cleanup costs for spills. Mr. Adams explained that BOPCO continues to pursue the use of treated produced water and uses the money saved on the purchase of fresh water to offset the costs associated with transport and storage of produced water.

Josh Bruening, Devon Energy, provided the committee with an overview of a Devon Energy project at the company's site near Cotton Draw, New Mexico, where produced water is recycled. He explained that produced water is transported via pipeline to the treatment site, where it passes through filter pads into an above-ground storage tank, through more filter pads and eventually through a mobile treatment unit. Mr. Bruening noted that personnel remain at the treatment site 24 hours a day for safety and security. He also provided the committee with projections of freshwater savings as a result of produced water reuse, noting that the company projects that over 300 million gallons of fresh water will be saved every year beginning in 2016.

David Martin, secretary of energy, minerals and natural resources, discussed the reuse and regulation of produced water. He began by explaining the relationship between water and energy, noting that as oil and gas production has increased in New Mexico in recent years, the use of limited freshwater resources has also increased. Secretary Martin also discussed regulatory treatment of produced water, explaining that produced water is currently regulated as a

waste and is commonly disposed of by injection into deep wells. However, he noted that produced water can be converted into an asset and replace the use of fresh water in oil and gas production operations, as well as serve as a consistent, stable water source. Secretary Martin also noted that treatment costs are now similar to disposal costs. He went on to explain that rules regarding produced water are being revised to encourage recycling and reuse of produced water. Finally, Secretary Martin discussed the formation of brackish water and produced water subcommittees of the New Mexico Drought Task Force.

Jeri Sullivan Graham, Chemical Diagnostics and Engineering Group, LANL, also addressed the reuse of produced water. She began by explaining that New Mexico, particularly the southeastern region, is currently facing drought conditions and that such conditions will recur over time. She went on to discuss the recommendations of a 2004 brackish ground water assessment program workshop, noting that the recommendations are still valid: New Mexico must develop new sources of water, including treatment of brackish water and treatment of wastewater. Ms. Graham also noted that some of the goals of the 2004 group are still being pursued, such as development of methods to treat and reuse produced water in the field. However, she acknowledged that reuse is challenging, and that while the oil and gas industry is evolving, some key challenges remain, including:

- costs to transport and treat produced water;
- treatment infrastructure;
- risk perception, particularly concerning potential future human use of treated water;
- environmental sustainability; and
- regulation.

Ms. Graham went on discuss the path forward for treatment and reuse of produced water. She explained that the Energy, Minerals and Natural Resources Department (EMNRD) must adapt its regulations, while companies continue to invest in and build necessary infrastructure. She also noted the importance of the continued exchange of information about best practices, both within the industry and within the state.

Questions and comments from the committee included the following:

- the industry appears to be engineering a solution that economically favors the treatment and reuse of produced water, rather than the use of fresh water;
- not all sites currently employ treatment and reuse technology, as some sites do not lend themselves to it yet;
- treatment technology requires a minimal amount of fresh water;
- most of the solid waste produced by treatment is suitable for disposal in landfills;
- liners in storage and treatment pits are replaced periodically;
- treatment technology is specific to oil and gas rather than other extractive industries;
- other industries, such as mining, are beginning to recognize the benefits of transitioning away from the use of fresh water;
- the expected life cycle of produced water pits and the eventual reclamation back to

being able to sustain vegetation;
- the cost difference between treated water and fresh water is widely variable, depending mostly on the volume required;
- the industry is close to the point at which it is cheaper to treat produced water instead of purchasing fresh water;
- proposed rules by the Oil Conservation Division of the EMNRD call for the use of produced water for four years;
- it is difficult to use 100 percent produced water in wells, but that remains the goal of most companies;
- produced water moves from oil and gas wells to treatment and eventual use in hydraulic fracturing, then back to treatment for use in hydraulic fracturing again; and
- the involvement of New Mexico's universities and national laboratories in developing future technologies.

Introduction of the Director of the Department of Game and Fish: Elk Population Overview and Issues

Alexa Sandoval, director, Department of Game and Fish, provided the committee with an overview of elk population issues in New Mexico. She began with a brief personal history, then outlined the various elk herd units in New Mexico and their populations. Ms. Sandoval noted that statewide elk harvest statistics suggest that license sales and both male and female elk harvests are increasing. She also discussed the depredation program and intervention statistics.

Questions and comments from the committee included the following:

- management strategies for higher population levels include an increase in license opportunities;
- the department tries to address individual situations separately in awarding landowner permits to small parcels of land;
- while the department will provide fencing materials, landowners themselves have to construct fences;
- deer population estimates for the southeast region are stable, as wildfires in the region helped habitat issues;
- the department has seen higher-than-average revenue, based on ammunition sales, and is trying to manage larger scale land issues;
- the adjustment of hunt timing to avoid warmer-than-average seasonal temperatures;
- complaints in the northeast/north central region tend to come from a particular area, which the department has tried to address;
- department strategies for addressing issues raised by certain landowners include increased benefits to landowners and specific population control hunts;
- the minimum acreage required for the issuance of landowner permits;
- the department is collecting data on the effect of predators on elk herd size, but it still needs more information before deciding on a strategy;
- the consideration of fees for other land uses, including tourism, rather than forcing hunters to bear the costs of habitat programs;

- the designation of critical habitat on federal lands and its effect on all land users;
- the potential increase in cost for certain elk permits; and
- holistic approaches to land management.

On a motion made, seconded and passed, the minutes of the June 5 and July 1-2, 2014 meetings were approved as submitted.

Production Tax Credit

Keven J. Groenewold, executive vice president and general manager, New Mexico Rural Electric Cooperative Association, addressed the topic of tax credits for renewable energy. He explained that the current tax credit is fully allocated and suggested that it be fixed in three ways: extending the credit's sunset date, changing the collection date for the credit and expanding eligibility. Mr. Groenewold pointed out that, although rural electric cooperatives would still be unable to take advantage of the tax credit directly, fixing the tax credit would affect both suppliers and the grid itself, so it would likely help rural electric cooperatives negotiate better agreements and pass savings on to members. He also noted that because many renewable energy projects are located in rural New Mexico, fixing the tax credit could mean economic development to those areas of the state.

Varinder Singh, EDF Renewable Energy, Inc., explained that his company is negotiating a 250-megawatt wind generation project in Elida, New Mexico. He noted that the project would provide the community with industrial revenue bond and property tax income, which would benefit the local school district. Mr. Singh also noted that EDF already has agreements with about 55 local landowners. He discussed wind projects in Texas that employed 160 people in the area and injected about $2.3 million into local economies. Mr. Singh said that there is significant interest in renewable energy projects in New Mexico and that the state has significant wind and solar potential. However, he indicated that neighboring states are also pursuing renewable energy projects and that New Mexico must compete for them.

Chris Loehr, director of finance, Infigen Energy, Inc., said that his company is committed to developing renewable energy projects in New Mexico, noting that a project is currently being developed near Caprock and Aragon, New Mexico.

Pat Boone, president, New Mexico Cattlegrowers' Association, indicated that a 120-megawatt wind generation project was constructed on property owned by him and two other family members in 2005. He explained that the project has proven to be good for both his family and the community, including schools that see revenue from taxes on the project. Mr. Boone also noted that several members of the community were employed because of the project. However, he pointed out that because expenses for wind generation increased, tax credits are essential to make the project viable. Mr. Boone emphasized that wind energy works and the project he has been involved with has turned out to be a good one.

Laura Sanchez explained that stakeholders need to continue to work together to improve language in potential legislation before the beginning of the next legislative session.

Questions and comments from the committee included the following:

- the current cap on the tax credit;
- the tax credit is fully subscribed, meaning that no entity may take advantage of it unless a current subscriber drops out;
- the actual cost to the state of the current tax credit and potential cost of expanding the credit;
- bond obligations of power generation companies;
- electricity transmission issues, such as the location of transmission lines and challenges in building new ones;
- Texas' approach to transmission line expansion is to ensure that adequate investment exists to fund lines before approval is considered;
- most of the projects contemplated by rural electric cooperatives would serve New Mexico residents and do not seek to export energy;
- wind turbines appear to have a minimal effect on livestock and other wildlife;
- the project in Elida would provide economic benefit to schools in the district;
- tie-ins to transmission lines are already in place for the Elida project;
- the typical concrete footprint of a wind turbine is about 30 feet long, 30 feet wide and eight feet deep;
- wind turbine height averages about 220 feet;
- tax credits often cost more than projections indicate, and one challenge for the legislature is to balance steady, predictable revenues with economic development; and
- the proposed sunset date for tax credit extension.

Thermal Energy and Renewable Energy Portfolio Standards

Mr. Groenewold provided the committee with testimony regarding thermal energy and renewable portfolio standards. He explained that the use of geothermal heat pumps presents a viable alternative to increasing production capacity.

Eric Austin, Western Farmers Electric Cooperative, explained the use of geothermal heat pumps to heat and cool buildings. He said that geothermal heat pumps can reduce peak demand for utilities, and he provided the committee with an overview of a geothermal heat pump system.

Jerry Partin, Roosevelt County Electric Cooperative, discussed a Roosevelt County validation study conducted by retrofitting 22 residences with geothermal heat pumps. Mr. Partin noted that selected locations had heating and cooling systems that were 10 to 12 years old, and that all applications, such as the water heater and air conditioning, were submetered to determine specific energy use. He said that energy savings at the homes averaged about 41 percent. Mr. Partin explained that one of the challenges is educating homeowners on geothermal power, as the word tends to suggest steam geysers for most people. He also discussed changing the business model for energy consumption, comparing it to satellite television, in which the homeowner pays for the service itself, regardless of how much power is consumed or television is watched.

Questions and comments from the committee included the following:

- the depth of geothermal ground pump lines ranges from about six feet deep to up to 250 feet deep, depending on soil and environmental characteristics;
- horizontal systems are also feasible; and
- some types of soil are better suited to geothermal systems than others.

Friday, September 5

Industrial Hemp Production

Jerry Fuentes and Gloria Castillo, both representing the New Mexico Industrial Hemp Coalition, provided the committee with a presentation on the economics of industrial hemp, noting that the U.S. imports tens of millions of dollars in hemp products each year. They also discussed various uses for industrial hemp and the economic development opportunities related to industrial hemp, such as food, animal food, specialty oils, plastics and paper. Mr. Fuentes and Ms. Castillo also pointed out the differences between industrial hemp and marijuana, emphasizing that they are not the same product. They also discussed recent federal legislation authorizing industrial hemp research and the potential for New Mexico universities to conduct such research.

Robert Flynn, New Mexico State University's Agricultural Science Center in Artesia, said that New Mexico has several agricultural research stations that could perform research on industrial hemp.

Belaquin "Bill" Gomez, an unopposed candidate for House District 34, explained that he helped develop the wine-making industry in New Mexico, in part to help farmers find new crops. He said that industrial hemp has similar potential as an alternative crop, noting that hemp uses significantly less water than alfalfa. Mr. Gomez pointed to the situation on the Pecos River, where the purchase and retirement of water rights by the state had a negative effect on some farming communities. He said industrial hemp may not ever be a major crop, but that it could provide some help for farmers.

Questions and comments from the committee included the following:

- development of draft bill language to allow New Mexico universities to conduct research on industrial hemp;
- Kentucky has an industrial hemp research model that New Mexico could follow;
- about $500 million in industrial hemp was imported into the U.S. in 2012, and much of that could be grown in New Mexico;
- hemp seed sources depend on the desired end use;
- New Mexico would need a different seed strain than the one primarily used in Canada;
- side businesses can grow from industrial hemp production, such as processing and oil extraction;

- industrial hemp has a similar growing season to other New Mexico crops;
- industrial hemp is harvested by cutting and bailing;
- regulatory problems encountered by Colorado after decriminalizing marijuana; and
- industrial hemp seed, with low amounts of THC, is fairly easy to find.

Liability Issues for Crop Mazes

Anna Lyles, Mesilla Valley Maze, talked about insurance liability for crop mazes. She explained that her family began as farmers, then built a crop maze, which attracted visitors and schoolchildren interested in learning about agriculture. Ms. Lyles noted that the crop maze receives an annual safety inspection and is protected by three layers of liability insurance so that an accident involving the crop maze will not cause the family to lose its farm. However, she noted that insurance companies identify the crop maze as an amusement park. Ms. Lyles suggested that the legislature enact a bill allowing for agri-tourism, which exists in 28 other states. She explained that visitors to the crop maze learn the story and processes of modern farming, as well as where food actually comes from.

Senator Cotter explained that staff indicated that insurance coverage for horse riding stables serves as a more accurate insurance template for crop mazes than amusement parks. He said that the stables template allows horse riding without the threat of certain lawsuits for accidents. Senator Cotter also noted that legislation allowing agri-tourism would cover many operations, including crop mazes.

Questions and comments from the committee included the following:

- crop mazes would prefer to be defined separately from amusement parks;
- costs of different insurance coverage for crop mazes are currently unknown;
- smaller tours, ranch days and similar local festivities likely do not currently have adequate insurance coverage;
- other approaches to the insurance coverage issue may also work, but this one seems best suited;
- the rising costs of farming are difficult to explain to people outside of the industry;
- the United States could be self-sufficient but currently imports significant amounts of food;
- agri-tourism has proven to be a profitable business in some other states;
- no lawsuits have been filed against crop mazes yet;
- amusement park insurance typically costs $6,000 for five weeks of coverage; and
- revenue from admission fees covers insurance, workers' compensation, staff salaries and inventory.

The Meadow Jumping Mouse and Access to Water on Federal Grazing Allotments

Wally Murphy, field supervisor, New Mexico Ecological Service Field Office, U.S. Fish and Wildlife Service (FWS), provided the committee with a brief overview of the situation concerning the meadow jumping mouse, explaining that the mouse was listed as an endangered species on June 10, 2014. He said that once the mouse was listed, the FWS has a statutory duty

to assess the effect of ongoing activities on the mouse's habitat. Mr. Murphy indicated that both the Santa Fe and Lincoln national forests were affected.

Robert Trujillo, acting regional wildlife director, U.S. Forest Service (USFS), explained that designation of a critical habitat for the mouse is expected this year, and that protection of that habitat will affect management of certain grazing allotments. He pointed out that the habitat is limited to a very specific riparian habitat that represents under one percent of New Mexico's grazing allotments. Mr. Trujillo also discussed steps that the USFS has taken since the mouse was listed, including meeting with stakeholders, sending letters to permit holders and training forest management staff. He went on to clarify some legal issues, noting that courts have upheld that grazing on forest land is a privilege, not a property right. Mr. Trujillo also pointed out that the use of any water right, regardless of ownership, is subject to USFS regulation to protect and manage federal resources, including protection of riparian areas. He also noted that livestock watering rights are not tied to the land and therefore are not transferable to a new point of diversion. Mr. Trujillo said that fencing sensitive riparian areas to protect wildlife habitat is a common USFS practice, noting construction of a fence in the Agua Chiquita area of the Lincoln National Forest in the 1990s. Finally, Mr. Trujillo acknowledged that ranching is an important economic and cultural activity, and he said that the USFS is committed to working with livestock owners, state and local officials and the ranching community to find a practical solution to the issue.

Gary Stone, Otero County Cattleman's Association, said that he disagreed with Mr. Trujillo's statement and that the USFS had no legal right to fence off streams in the Lincoln National Forest. He noted that while the habitat may be less than one percent of grazing land, it is an important one percent, as without water the land becomes useless. Mr. Stone said that the actions of the USFS represent federal takeover of New Mexico's water, with the federal government using the Endangered Species Act like a fist. He also emphasized that ranching is an industry of custom and culture.

Ron Rardin, Otero County commissioner, explained that efforts to save the mouse hurt New Mexicans at a local level and will eventually hurt the state. He indicated that the OSE refuses to make a decision on changing the point of diversion for livestock watering rights holders and had not attended meetings that the OSE had been invited to. Commissioner Rardin said that a solution needs to be developed to protect New Mexico water and law from federal encroachment.

Blair Dunn, Otero County attorney, explained that the issue is mostly a federal one, but its effect on water complicates matters. He said that building a fence around a stream amounts to taking a private water right, which makes state sovereignty over its water an issue. Mr. Dunn also pointed out that the USFS did not study how to build a fence properly and used old oil field pipe, which sank into the water and contaminated it.

Garrett VeneKlasen, New Mexico Wildlife Federation, explained that riparian areas are critical for wildlife and that many watersheds have been adversely affected by overgrazing,

which results in poor water productivity and delivery. He said that grazing does not need to be stopped but should be done responsibly. Mr. VeneKlasen noted that one of the problems with the issue is a lack of communication between the parties involved. He suggested that watersheds are broken and that the mouse is analogous to a canary in the coal mine. Mr. VeneKlasen also indicated that livestock in the area do have access to water, but that the issue is a case-building exercise over the notion that federal entities should not manage lands in New Mexico. He explained that the fence in question was built and paid for by the New Mexico Wild Turkey Federation.

Greg Ridgley, OSE general counsel, explained that the OSE's response to Otero County's letter was to meet with the actual parties and find a way to make sure the cattle had access to water. He also noted that allowing cattle to drink water out of a stream does not create a water right under state law. Rather, he explained, there must be some type of diversion, tank or other improvement constructed before a person can claim to have developed a water right.

Questions and comments from the committee included the following:

- eight sites in the Santa Fe and Lincoln national forests are affected by the mouse listing;
- issues concerning federal management of land are not isolated to Otero County;
- the location and acreage of overgrazed land in New Mexico;
- elk are also responsible for overgrazing;
- the Constitution of New Mexico establishes that water is owned by the state and that individuals may develop a right to put water to beneficial use;
- federal land management issues extend beyond New Mexico;
- New Mexico is a member of the Western States Water Council, which has asked the OSE to testify before Congress on land and water management issues;
- involvement by the OSE in resolving a similar issue regarding fencing off livestock from access to streams;
- communication is critical in resolving the issue;
- state water law applies to national forests, but the land is managed by the federal government; and
- allowing livestock to drink from a stream does not create a water right, whereas structures or other improvements may help establish a water right.

There being no further business, the committee adjourned at 12:00 noon.